

By: Cortez

H.B. No. 3416

A BILL TO BE ENTITLED

AN ACT

1
2 relating to Texas Department of Motor Vehicles and county tax
3 assessor-collector vehicle titling and registration duties and
4 fees associated with those duties.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 502.040, Transportation Code, is amended
7 by adding Subsection (e) to read as follows:

8 (e) With the approval of the commissioners court of a
9 county, a county assessor-collector may contract with a private
10 entity to enable an applicant for registration to use an electronic
11 off-premises location.

12 SECTION 2. Subchapter B, Chapter 502, Transportation Code,
13 is amended by adding Section 502.0441 to read as follows:

14 Sec 502.0441. REGISTRATION RENEWAL THROUGH ELECTRONIC
15 SYSTEM. (a) The department may designate an electronic system for
16 registration renewal applications.

17 (b) If the department designates an electronic system, each
18 county assessor-collector shall:

19 (1) use the system to receive registration renewal
20 applications for vehicles that are not required by this chapter to
21 be registered directly by the department;

22 (2) review and process the applications; and

23 (3) mail to an applicant for renewed registration in
24 the assessor-collector's county the registration receipt or

1 insignia issued to the applicant.

2 SECTION 3. Section 502.1911, Transportation Code, is
3 amended by amending Subsections (b) and (c) and adding Subsection
4 (d) to read as follows:

5 (b) The board by rule shall set the fee in an amount that:

6 (1) includes the fee established under Section
7 502.356(a); and

8 (2) is sufficient to cover the expenses associated
9 with collecting registration fees by:

10 (A) the department;

11 (B) a county tax assessor-collector;

12 (C) a private entity with which a county tax
13 assessor-collector contracts under Section 502.040(e) [~~502.197~~];
14 or

15 (D) a deputy assessor-collector that is
16 deputized in accordance with board rule under Section 520.0071.

17 (c) The county tax assessor-collector, a private entity
18 with which a county tax assessor-collector contracts under Section
19 502.040(e) [~~502.197~~], or a deputy assessor-collector may retain a
20 portion of the fee [~~collected under Subsection (b)~~] as provided by
21 board rule. Remaining amounts collected under this section shall be
22 deposited to the credit of the Texas Department of Motor Vehicles
23 fund.

24 (d) The rules adopted under this section must allow a county
25 tax assessor-collector to retain a service charge of at least \$1.50
26 for each application submitted to the assessor-collector by mail.
27 The retained service charge shall be used to pay the costs of

1 handling and postage to mail the registration receipt and insignia
2 to the applicant.

3 SECTION 4. Section 502.471(b), Transportation Code, is
4 amended to read as follows:

5 (b) This section does not apply to a violation of Section
6 502.003, 502.042, [~~502.197~~] or 502.431.

7 SECTION 5. Section 520.0071, Transportation Code, is
8 amended by amending Subsection (a) and adding Subsection (c) to
9 read as follows:

10 (a) The board by rule shall prescribe:

11 (1) the classification types of deputies performing
12 titling and registration duties;

13 (2) the duties and obligations of deputies;

14 (3) the type and amount of any bonds that may be
15 required by a county assessor-collector for a deputy to perform
16 titling and registration duties; and

17 (4) except as provided by Subsection (c), the fees
18 that may be charged or retained by deputies.

19 (c) A county assessor-collector that deputizes an
20 individual or business under this section may authorize the deputy
21 to charge or retain a fee in addition to fees authorized under
22 Chapter 501 or 502 in an amount to be determined by the
23 assessor-collector.

24 SECTION 6. Sections 348.005 and 353.006, Finance Code, are
25 amended to read as follows:

26 Sec. 348.005. ITEMIZED CHARGE. An amount in a retail
27 installment contract is an itemized charge if the amount is not

1 included in the cash price and is the amount of:

2 (1) fees for registration, certificate of title, and
3 license and any additional registration fees charged by a deputy as
4 authorized [~~by rules adopted~~] under Section 520.0071,
5 Transportation Code;

6 (2) any taxes;

7 (3) fees or charges prescribed by law and connected
8 with the sale or inspection of the motor vehicle; and

9 (4) charges authorized for insurance, service
10 contracts, warranties, automobile club memberships, or a debt
11 cancellation agreement by Subchapter C.

12 Sec. 353.006. ITEMIZED CHARGE. An amount in a retail
13 installment contract is an itemized charge if the amount is not
14 included in the cash price and is the amount of:

15 (1) fees for registration, certificate of title, and
16 license and any additional registration fees charged by a deputy as
17 authorized [~~by rules adopted~~] under Section 520.0071,
18 Transportation Code;

19 (2) any taxes;

20 (3) fees or charges prescribed by law and connected
21 with the sale or inspection of the commercial vehicle;

22 (4) charges authorized for insurance, service
23 contracts, and warranties by Subchapter C; and

24 (5) advances or payments authorized under Section
25 353.402(b) or (c) made by the retail seller to or for the benefit of
26 the retail buyer.

27 SECTION 7. Sections 502.197 and 520.005(d), Transportation

1 Code, are repealed.

2 SECTION 8. This Act takes effect September 1, 2017.